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THE DISTRICT SCHOOL JOURNAL

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WILLIAM H. CAMPBELL, Editor.

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OFFICIAL.

SECRETARY'S OFFICE,
DEPARTMENT OF COMMON SCHOOLS,
Albany, December 18th, 1847.

The act, chapter 480, of the laws of 1847, "relative to the office of Town Superintendent of Common Schools, and amendatory of the Revised Statutes, entitled 'of Public Instruction,'" published in this number of the District School Journal, does not take effect, as a law, until the 5th day of January, 1848; and all the provisions of existing laws repugnant to, or inconsistent with, the provisions of this act, are repealed after that day. A pamphlet edition of the School Laws, with the necessary forms and instructions, will, it is expected, be ready for distribution with the forthcoming volume of the Session Laws.

N. S. BENTON,
Superintendent Com. Schools.

SECRETARY'S OFFICE,
DEPARTMENT OF COMMON SCHOOLS,
Albany, Dec. 24th, 1847.

All State Certificates, granted for the present year, are now made out; and those remaining at the Department will be forwarded, on application, to the several teachers to whom they belong.

N. S. BENTON,
Superintendent of Com. Schools.

LAW OF NEW-YORK—BY AUTHORITY.

[Every Law, unless a different time shall be prescribed therein, shall commence and take effect throughout the State, on and not before the twentieth day after the day of its final passage, as certified by the Secretary of State. Sec. 12, title 4, chap. 7, part 1, Revised Statutes.]

CHAP. 430.

AN ACT relative to the office of Town Superintendent of Common Schools, and amendatory of the Revised Statutes entitled "of Public Instruction."

Passed December 15, 1847, "three fifths being present."

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. There shall continue to be elected in each of the towns in this State, at the same time, and in the manner now provided by law for the election of other town officers, an officer to be denominated "Town Superintendent of Common Schools," who shall possess all the powers, perform all the duties, and be subject to all the restrictions, liabilities and penalties conferred and imposed by this act.

§ 2. The several town superintendents in office when this act takes effect, elected or appointed in conformity to existing laws, shall continue to hold their respective offices, and discharge the duties thereof until the first Monday of November, one thousand eight hundred and forty-eight.

§ 3. The town superintendents of common schools hereafter to be elected in conformity with the provisions of this act, shall, each of them, on or before the first Monday of November succeeding such election, execute to the supervisor of his town and file with the town clerk, a bond with one or more sufficient sureties to be approved by the said supervisor by endorsement over his signature on said bond, with a penalty in double the amount of all the school moneys received by his town from all sources during the preceding year and conditioned for the faithful application and legal disbursement of all the school money coming into his hands during his term of office; and for the faithful discharge of all the duties of said office, and in case such bond shall not be executed, filed and approved within the time herein prescribed, the office of such town superintendent shall be deemed vacant; and any such or any other vacancy that may occur in said office, shall be filled by any three justices of the peace of the same town by a warrant under their hands and seals, who are hereby authorized to make such appointments; and the persons so appointed shall hold their respective offices until others are elected or appointed in their places, and shall have the same powers, and be subject to the same duties and penalties as if they had been duly chosen by the electors.

§ 4. The justices making the said appointment, shall forthwith cause the said warrant to be filed in the office of the town clerk of the town, and give immediate notice to the person appointed.

§ 5. Every town superintendent elected after this act takes effect shall on executing the bond as before provided, enter upon the duties of his said office on the first Monday of November succeeding his election, and shall hold his office for two years thereafter and until a successor who shall have been duly elected, shall have taken the oath of office and filed an official bond pursuant to the provisions of this act.

§ 6. No town superintendent of a town shall hold the office of trustee of a school district, nor shall a person chosen a trustee, hold the office of district clerk, and no town superintendent shall hold the office of either supervisor or town clerk.

§ 7. The third, fourth, fifth and sixth articles of title two, chapter fifteen, part first, of the Revised Statutes, entitled "of public instruction," shall be and the same are hereby amended so as to read as follows:

ARTICLE THIRD.

THE POWERS AND DUTIES OF THE TOWN SUPERINTENDENT OF COMMON SCHOOLS.

§ 8. It shall be the duty of the town superintendent of common schools in each town,

1. To divide the town into a convenient number of school

districts, and to regulate and alter such districts as hereinafter provided :

2. To set off by itself any neighborhood in the town adjoining to any other state of this union, where it has been usual, or shall be found convenient for such neighborhood to send their children to a school in such adjoining state :

3. To describe and number the school districts, and to deliver the description and numbers thereof, in writing, to the town clerk, immediately after the formation or alteration thereof :

4. To deliver to such town clerk a description of each neighborhood, adjoining to any other state, set off by itself :

5. To apply for and receive from the county treasurer all moneys apportioned for the use of common schools in their town, and from the collector of the town, all moneys raised therein for the same purpose, as soon as such moneys shall become payable, or be collected :

6. To apportion the school moneys received on the first Tuesday of April, in each year, among the several school districts, parts of districts, and neighborhoods separately set off, within the town, in proportion to the number of children residing in each, over the age of five, and under that of sixteen years, as the same shall have appeared from the last annual reports of their respective trustees.

7. If the town superintendent shall have received the school moneys of the town, and all the reports from the several school districts therein, before the first Tuesday of April, he shall apportion such moneys as above directed, within ten days after receiving all of the said reports and the said moneys :

8. To sue for and collect, by his name of office, all penalties and forfeitures imposed in this title, and in respect to which no other provision is made which shall be incurred by any officer or inhabitant of their town, and after deducting his costs and expenses, to add the sums recovered, to the school moneys received by him, to be apportioned and paid in the same manner.

§ 9. In making the apportionment of moneys among the several school districts, no share shall be allotted to any district, part of a district, or separate neighborhood, from which no sufficient annual report shall have been received, for the year ending on the last day of December, immediately preceding the apportionment.

§ 10. In making the apportionment of public money, it shall be the duty of the town superintendent to designate the respective proportions of teachers' and library money belonging to each district, and to pay over as much as is designated teachers' money, on the written order of a majority of the trustees of each district, to the teachers entitled to receive the same.

§ 11. No moneys shall be apportioned and paid to any district or part of a district, unless it shall appear by such report, that a school had been kept therein for at least four months during the year ending at the date of such report, by a qualified teacher; that no other than a duly qualified teacher had at any time during the year for more than one month been employed to teach the school in said district; and that all moneys received during that year, have been applied to the payment of the compensation of such teacher; and no portion of the library money shall be apportioned or paid to any district or part of a district, unless it shall appear from the last annual report of the trustees, that the library money received at the last preceding apportionment was duly expended according to law, on or before the first day of October, subsequent to such apportionment.

§ 12. No teacher shall be deemed a qualified teacher, within the meaning of this title, who shall not have received, and shall not then hold, a certificate of qualification, dated within one year, from the town superintendent of common schools for the town in which such teacher shall be employed.

§ 13. No part of such moneys shall be apportioned or paid to any separate neighborhood adjoining another state, unless it shall appear from the report of its trustees, that all moneys received by them during the year ending at the

date of such report have been faithfully applied, in paying for the instruction of children residing in such neighborhood.

§ 14. Whenever an apportionment of the public money shall not be made to any school district, in consequence of any accidental omission to make any report required by law, or to comply with any other provision of law, or any regulation, the state superintendent may direct an apportionment to be made to such district, according to the equitable circumstances of the case, to be paid out of the public money on hand, or if the same shall have been distributed, out of the public money to be received in a succeeding year.

§ 15. If after the time when the annual reports are required to be dated, and before the apportionment of the School moneys shall have been made, a district shall be duly altered, or a new district be formed in the town so as to render an apportionment founded solely on the annual reports, unjust, as between two or more districts of the town, the town superintendent shall make an apportionment among such districts, according to the number of children in each, over the age of five, and under sixteen years, ascertaining that number by the best evidence in his power.

§ 16. The provisions of the foregoing section shall extend to all cases where a school district shall have been formed at such time previous to the first day of January, as not to have allowed a reasonable time to have kept a school therein for the term of four months, such district having been formed out of a district or districts in which a school shall have been kept for four months by a teacher duly qualified, during the year preceding the first day of January.

§ 17. All moneys apportioned by the town superintendent, to the trustees of a district, part of a district, or separate neighborhood, which shall have remained in the hands of the town superintendent for one year after such apportionment, by reason of the trustees neglecting or refusing to receive the same, shall be added to the moneys next thereafter to be apportioned by the town superintendent, and shall be apportioned and paid therewith in the same manner.

§ 18. In case any school moneys received by the town superintendent, cannot be apportioned by him, for the term of two years, after the same are received, by reason of the non-compliance of all the school districts in his town with the provisions of this title, such moneys shall be returned by him to the county treasurer, to be by him apportioned and distributed, together and in the same manner with the moneys next thereafter to be received by him for the use of common schools.

§ 19. It shall be the duty of the town superintendent in each town, between the first day of July and the first day of August in each year, to make and transmit to the county clerk, a report in writing, bearing date on the first day of July, in the year of its transmission, and stating,

1. The whole number of school districts and neighborhoods, separately set off within the town:

2. The districts, parts of districts, and neighborhoods, from which reports shall have been made to him, or his immediate predecessor in office, within the time limited for that purpose:

3. The length of time a school shall have been kept in each of such districts or parts of districts, distinguishing what portion of that time the school shall have been kept by qualified teachers:

4. The amount of public moneys received in each of such districts, parts of districts and neighborhoods:

5. The number of children taught in each, and the number of children over the age of five and under sixteen years, residing in each:

6. The whole amount of moneys received by him, or his predecessor in office, during the year ending at the date of such report, and since the date of the last preceding report; distinguishing the amount received from the county

treasurer, from the town collector, and from any other and what source:

7. The manner in which such moneys have been expended, and whether any, and what part remains unexpended, and for what cause:

8. The amount of money paid for teachers' wages, in addition to the public money paid therefor, the amount of taxes levied for purchasing school house sites, for building, hiring, purchasing, repairing and insuring school houses, for fuel and supplying deficiencies in rate bills, for district libraries, or for any other purposes allowed by law, in the districts, parts of districts and neighborhoods from which reports shall have been received by him or his immediate predecessor in office, with such other information as the state superintendent may from time to time require, in relation to the districts and schools within his town.

§ 20. Town superintendents who neglect to furnish the information required by the last preceding section, shall severally forfeit to the town for the use of the common schools therein, the sum of ten dollars, to be sued for by the supervisor of the town.

§ 21. In case the town superintendent in any town shall not, on or before the first day of August, in any year, make such report to the clerk of the county, it shall be his duty to give immediate notice of such neglect to the clerk of such town.

§ 22. The town superintendent neglecting to make such report within the limited period, shall forfeit to the town, for the use of the common schools therein, the sum of ten dollars; and the share of school moneys apportioned to such town for the ensuing year, may, in the discretion of the state superintendent, be withheld and be distributed among the other towns in the same county, from which the necessary reports shall have been received.

§ 23. When the share of school moneys apportioned to a town, shall thus be lost to the town, by the neglect of its town superintendent, the town superintendent guilty of such neglect and his sureties shall be liable for the full amount so lost with interest.

§ 24. It shall be the duty of the supervisor of the town, upon notice of such loss, from the state superintendent or county treasurer, to prosecute without delay, in the name of the town, for such forfeiture; and the moneys recovered shall be distributed and paid by such supervisor to the several districts, parts of districts, or separate neighborhoods of the town, in the same manner as it would have been the duty of the town superintendent to have distributed and paid them, if received from the county treasurer.

§ 25. The town superintendent in each town, shall keep a just and true account of all school moneys received and expended by him during each year for which he shall have been chosen, and shall lay the same before the board of auditors of town accounts at the annual meeting of such board, in each year.

§ 26. The town superintendent of common schools in each town shall, within fifteen days after the termination of his office, render to his successor in office a just and true account, in writing, of all school moneys by him received, before the time of rendering such account, and of the manner in which the same shall have been appropriated and expended by him; and the account so rendered shall be delivered by such successor in office to the town clerk, to be filed and recorded in his office.

§ 27. On rendering such account, if any balance shall be found remaining in the hands of the town superintendent, the same shall immediately be paid by him to his successor in office.

§ 28. If such balance, or any part thereof, shall have been appropriated by the town superintendent to any particular school district, part of a district or separate neighborhood, and shall remain in his hands for the use thereof, a statement of such appropriation shall be made in the account so to be rendered, and the balance paid to such successor in office, shall be paid over by him, according to such appropriation.

§ 29. Such successor in office may bring a suit in his

name of office for the recovery, with interest, of any unpaid balance of school moneys, that shall appear to have been in the hands of any previous town superintendent on leaving his office, either by the accounts rendered by such town superintendent, or by other sufficient proof, and in case of the death of such town superintendent, such suit may be brought against his representatives.

§ 30. The town superintendent in each town, shall have the powers and privileges of a corporation, so far as to enable him to take and hold any property transferred to him for the use of common schools in such town.

§ 31. The town superintendent shall be entitled to receive one dollar and twenty-five cents per day for every day actually and necessarily devoted by him in his official capacity, to the service of the town for which he may be chosen, the same to be paid in like manner as other town officers are paid.

OF THE DUTY OF TOWN CLERKS.

§ 32. It shall be the duty of the town clerk of each town,

1. To receive and keep all reports made to the town superintendent from the trustees of school districts, and all the books and papers belonging to the town superintendent, when required, and to file them in his office:

2. To receive all his estimates and apportionments of school money, and to record the same in a book kept for that purpose:

3. To notify the town superintendent, upon receiving notice from the county clerk that he has not made his annual report, for the purpose of making such report.

ARTICLE FOURTH.

OF INSPECTION AND SUPERVISION BY TOWN SUPERINTENDENTS.

§ 33. The town superintendent in each town, shall be the inspector of common schools therein.

§ 34. It shall be his duty to examine all persons offering themselves as candidates for teaching common schools in such town.

§ 35. In making such examination, it shall be the duty of the town superintendent to ascertain the qualifications of the candidate, in respect to moral character, learning and ability.

§ 36. If he shall be satisfied in respect to the qualifications of the candidate, he shall deliver to the person so examined, a certificate signed by him, in such form as shall be prescribed by the state superintendent.

§ 37. The town superintendent may annul any such certificate given by him or his predecessors in office, when he shall think proper, giving at least ten days' previous notice in writing to the teacher holding it, and to the trustees of the district in which he may be employed, of his intention to annul the same.

§ 38. The town superintendent whenever he shall deem it necessary, may require a re-examination of all or any of the teachers in his town, for the purpose of ascertaining their qualifications to continue as such teachers.

§ 39. The annulling of a certificate shall not disqualify the teacher to whom it was given, until a note in writing thereof, containing the name of the teacher, and the time when his certificate was annulled, shall be made by the town superintendent, and filed in the office of the town clerk.

§ 40. When any school district shall be composed of parts of two or more towns, the town superintendent of the town in which the school house of such district may be situated, shall examine into and certify the qualifications of any teacher offering to teach in such district, in the same manner as is provided by the preceding sections of this article, and may also in the same manner annul the certificate of such teacher; and no school house shall be erected so as to stand on the division lines of any two or more towns.

§ 41. It shall be the duty of the town superintendent to visit all such common schools within his town, as shall be

organized according to law, at least twice a year, and offender if he shall deem it necessary.

§ 42. At such visitation, the town superintendent shall examine into the state and condition of such schools, both as respects the progress of the scholars in learning, and the good order of the schools; and may give his advice and direction to the trustees and teachers of such schools as to the government thereof, and the course of studies to be pursued therein.

ARTICLE FIFTH.

OF THE FORMATION AND ALTERATION OF SCHOOL DISTRICTS.

§ 43. In the erection or alteration of a school district, the trustees of any district to be affected thereby, may apply to the supervisor and town clerk to be associated with the town superintendent; and their action shall be final unless duly appealed from; the compensation of the supervisor and town clerk when thus associated, shall be the same as that of the town superintendent.

§ 44. Whenever it may become necessary or convenient, to form a district out of two or more adjoining towns, the town superintendent of each of such adjoining towns, or the major part of them, may form, regulate and alter such district.

§ 45. No alteration of any school district, made without the consent of the trustees thereof, shall take effect until three months after notice, in writing, shall be given by the town superintendent, to some one or more of such trustees; nor shall any alteration or regulation of an organized school district be made to take effect between the first day of December in any one year, and the first day of May following.

§ 46. If the town superintendent in any town shall require by notice in writing, the attendance of the town superintendents of any other town or towns, at a joint meeting for the purpose of altering a school district formed from their respective towns, and a major part of the town superintendents notified shall refuse or neglect to attend, the town superintendents attending, by a majority of votes, may call a special district meeting of such district, for the purpose of deciding on such proposed alteration; and the decision of such meeting shall be as valid as if made by the town superintendents of all the towns interested, but shall extend no farther than to dissolve the district formed from such towns.

§ 47. When a new district shall be formed from one or more districts, possessed of a school house, and in cases where any district from which such new district shall be in whole or in part formed, shall be entitled to other property than its school house, then the town superintendent of common schools, at the time of forming such new district, shall sell at public auction said school house and other property belonging thereto, and precede the sale thereof by printed or written notices, to be posted in at least five public places in the district interested in such sale.

§ 48. The proceeds of such sale shall be divided between the parts of said district in proportion to the assessed value of the parts respectively, to be applied by them towards the erection of new school houses.

§ 49. No such sale shall take place, where the inhabitants of the several parts into which such district shall be divided at a special meeting called for that purpose, shall agree upon a division of such property among them.

§ 50. When two or more districts shall be consolidated into one, the new district shall succeed to all the rights of property possessed by the districts of which it shall be composed; and when a district is annulled, and portions of it are annexed to other districts, that district into which the school house, or its site or any other property of such dissolved district may fall, shall succeed to all the rights of the annulled district in respect to such property, and whenever two or more districts or parts of districts shall be united and there shall be more than one school house in such new or altered district, the trustees of such district

may sell the site and buildings thereon, of either or both the school houses situated in such new district.

§ 51. In cases where by the dissolving of a district, its school house or other property shall be annexed or included in another district, the town superintendent, by whose order such dissolution was effected, shall appraise such property in the manner provided by law in cases of the creation of new districts; and the proportions assigned to the inhabitants of such dissolved district who are not annexed to the district which includes the school house, or other property shall be raised by the trustees of such last mentioned district and paid over to the trustees of the district to which such inhabitants are annexed, in the same manner as in case of the creation of a new district, and to be applied to the same purpose.

§ 52. When there shall be any moneys in the hands of the officers, of a district that is or may be annulled, or belonging to such district, the "town superintendent" of the town may demand, sue for and recover the same, in his name of office, and shall apportion the same equitably between the districts to which the several portions of such annulled district may have been annexed, to be held and enjoyed as district property.

§ 53. Whenever a school district shall be dissolved by consolidation, or otherwise, it shall be the duty of the trustees of such district to make out all the necessary rate-bills and tax-lists, and issue their warrants according to law, for the collection of all such sums of money as shall be necessary to discharge all legal liabilities of such district so dissolved or consolidated, and to call special meetings of the legal voters of such district, if it be necessary; to raise money by tax, to discharge such demands, and the collector to whom any such rate-bill or tax-list and warrant shall be delivered for collection, shall have power to execute the same in the same manner and with the like authority as though such district had not been dissolved or consolidated.

OF THE POWERS OF SCHOOL DISTRICT INHABITANTS AND OF THE CHOICE, DUTIES AND POWERS OF SCHOOL DISTRICT OFFICERS.

§ 54. Whenever any school district shall be formed in any town, it shall be the duty of the town superintendent, within twenty days thereafter, to prepare a notice in writing, describing such district, and appointing a time and place for the first district meeting, and to deliver such notice to a taxable inhabitant of the district.

§ 55. It shall be the duty of such inhabitant to notify every other inhabitant of the district, qualified to vote at district meetings, by reading the notice in the hearing of such inhabitant, or in case of his absence from home, by leaving a copy thereof, or of so much thereof as relates to the time and place of such meeting, at the place of his abode, at least six days before the time of the meeting.

§ 56. In case such notice shall not be given, or the inhabitants of a district shall refuse or neglect to assemble, or form a district meeting, when so notified; or in case any such district, having been formed and organized in pursuance of such notice, shall afterwards be dissolved, so that no competent authority shall exist therein, to call a special district meeting in the manner hereinafter provided; such notice shall be renewed by the town superintendent, and served in the manner above prescribed.

§ 57. Every taxable inhabitant to whom a notice of a district meeting shall have been properly delivered for service, who shall refuse or neglect to serve the notice in the manner above in this article enjoined, shall for every such offence forfeit the sum of five dollars.

§ 58. Whenever any district meeting shall be called, in the manner prescribed in the preceding sections of this article, it shall be the duty of the inhabitants of the district, qualified to vote at district meetings, to assemble together at the time and place mentioned in the notice.

§ 59. Every male person of full age, residing in any school district, and entitled to hold lands in this State, who owns or hires real property in such district subject to

taxation for school purposes, and every resident of such district authorized to vote at town meetings of the town in which such district or part of district is situated, and who has paid any rate bill for teachers' wages in such district, within one year preceding, or who owns any personal property liable to be taxed for school purposes in such district, exceeding fifty dollars in value, exclusive of such as is exempt from execution, and no others, shall be entitled to vote at any school district meeting held in such district.

§ 60. If any person offering to vote at any school district meeting, shall be challenged as unqualified by any legal voter in such district, the chairman presiding at such meeting shall require the person so offering, to make the following declaration: "I do declare and affirm that I am an actual resident of this school district, and that I am qualified to vote at this meeting." And every person making such declaration shall be permitted to vote on all questions proposed at such meeting; but if any person shall refuse to make such declaration, his vote shall be rejected.

§ 61. Every person who shall wilfully make a false declaration of his right to vote at a district meeting, upon being challenged as herein before provided, shall be deemed guilty of a misdemeanor, and punishable by imprisonment in the county jail for a term not exceeding one year, nor less than six months, at the discretion of the court: and any person voting at any school district meeting without being qualified, shall, on conviction, be subject to a fine of ten dollars, to be sued for and recovered by the trustees of the district for its use, and with costs of suit, before any justice of the peace.

§ 62. The inhabitants so entitled to vote, when so assembled in such district meeting, or when lawfully assembled at any other district meeting, shall have power, by a majority of the votes of those present:

1. To appoint a chairman for the time being;
2. To adjourn from time to time, as occasion may require;
3. To choose a district clerk, three trustees, a district collector and a librarian, at their first meeting, and as often as such offices, or either of them become vacated;
4. To designate a site for a district-school house;
5. To lay such tax on the taxable inhabitants of the district, as the meeting shall deem sufficient to purchase or lease a suitable site for a school-house, and to build, hire, or purchase such school-house, and to keep in repair and furnish the same with necessary fuel and appendages;
6. To alter, repeal and modify their proceedings from time to time as occasion may require;
7. To vote a tax for the purchase of a book for the purpose of recording the proceedings of their respective districts;
8. With the consent of the town superintendent of the town, to designate sites for two or more school-houses for such district, and lay a tax on the taxable property in such district, to purchase or lease such sites, and to hire, build or purchase such school-houses, and to keep in repair, and furnish the same with necessary fuel and appendages, and may also in their discretion lay a tax, not exceeding twenty dollars in any one year, to purchase maps, globes, black-boards, and other school apparatus.

§ 63. The trustees chosen, at the first legal meeting of any school district, shall be divided by lot into three classes, to be numbered one, two and three; the term of office of the first class shall be one year, of the second, two, of the third, three; and one trustee only shall thereafter annually be elected, who shall hold his office for three years, and until a successor shall be duly elected or appointed. In case of a vacancy in the office of either of the trustees, during the period for which he or they shall have been respectively elected, the person or persons chosen or appointed to fill such vacancy shall hold the office only for the unexpired term.

§ 64. Every notice of a district meeting called in pursuance of this act shall state the purpose for which such meeting is called.

§ 65. In each school district an annual meeting shall be held at the time and place previously appointed; and at the first district meeting, and at each annual meeting, the time and place of holding the next annual meeting shall be fixed.

§ 66. Whenever the time for holding annual meetings in a district for the election of district officers shall pass without such election being held, a special meeting shall be notified by the clerk of such district to choose such officers; and if no such notice be given by him or the trustees last elected or appointed, within twenty days after such time shall have passed, the town superintendent or town clerk may order any inhabitant of such district qualified to vote at district meetings, to notify such meeting in the manner provided by law in case of the formation of a new district; and the officers chosen at any such special meeting, shall hold their office until the time for holding the next annual meeting.

§ 67. When the clerk and all the trustees of a school district, shall have removed, or otherwise vacated their office, and where the records of a district shall have been destroyed or lost, or where the trustees neglect or refuse to call meetings to choose trustees, the superintendent shall have authority to order such meetings, and the same shall be notified in the manner provided by law in the case of the formation of new districts.

§ 68. When in consequence of the loss of the records of a school district, or the omission to designate the day for its annual meeting, there shall be none fixed, or it cannot be ascertained, the trustees of such district may appoint a day for holding the annual meeting of such district.

§ 69. A special meeting shall be held in each district whenever called by the trustees; and the proceedings of no district meeting, annual or special, shall be held illegal, for want of a due notice to all the persons qualified to vote thereat, unless it shall appear that the omission to give such notice was wilful and fraudulent.

§ 70. No tax to be voted by a district meeting for building, hiring or purchasing a school house, shall exceed the sum of four hundred dollars, unless the town superintendent of the town in which the school house to be is situated, shall certify in writing, his opinion that a larger sum ought to be raised, and shall specify the sum; in which case, a sum not exceeding the sum so specified, shall be raised; and in districts composed of parts of several towns, the certificate of a major part of the superintendents of said towns shall be necessary for such purpose.

§ 71. Whenever a majority of all the taxable inhabitants of any school district, to be ascertained by taking and recording the ayes and noes of the inhabitants attending at any annual, special or adjourned school district meeting legally called or held, shall determine that the sum proposed and provided for in the next preceding section, shall be raised by instalments; it shall be the duty of the trustees of such district, and they are hereby authorized to cause the same to be levied, raised and collected, in equal annual instalments, in the same manner, and with the like authority that other school district taxes are raised, levied and collected, and to make out their tax list and warrant, for the collection of such instalments as they become payable according to the vote of the said inhabitants; but the payment or collection of the last instalment shall not be extended beyond five years from the time such vote was taken; and no vote to levy any such tax shall be reconsidered, except at an adjourned general or special meeting to be held within thirty days thereafter, and the same majority shall be required for reconsideration as is required to levy such tax.

§ 72. In every case where a district embraces a part of more than one town, the town superintendents of the towns so in parts embraced, upon application of the trustees of such districts, or of those persons liable to pay taxes upon real property therein, shall proceed to enquire and determine whether the valuation of real property upon the several assessment rolls of said towns, are substantially just as compared with each other, so far as such dis-

trict is concerned, and if determined not to be so, they shall determine the relative proportion of taxes that ought to be assessed upon the real property of the parts of such districts so lying in different towns, and the trustees of such district shall thereupon assess the proportion of any tax thereafter to be raised according to the determination of said superintendents, until the same shall be altered by said superintendents upon like application, using the assessment rolls of the several towns to distribute the said proportion among the persons liable to be assessed for the same. In cases where two superintendents shall be unable to agree, they shall summon a superintendent from some adjoining town, who shall unite in such enquiry and determination.

§ 73. Whenever a school-house shall have been built or purchased for a district, the site of such school house shall not be changed, nor the building thereon be removed, as long as the district shall remain unaltered, unless by the consent, in writing, of the town superintendents of common schools, of the town or towns within which such district shall be situated, stating that in their opinion such removal is necessary; nor then, unless a majority of all the taxable inhabitants of said district to be ascertained by taking and recording the ayes and noes, at a special meeting called for that purpose, shall be in favor of such new site.

§ 74. Whenever the site of a school-house shall have been changed as herein provided, the inhabitants of the district entitled to vote, lawfully assembled at any district meeting, shall have power by a majority of the votes of those present to direct the sale of the former site or lot, and the buildings thereon, and appurtenances, or any part thereof, at such price, and upon such terms as they shall deem most advantageous to the district; and any deed duly executed by the trustees of such district, or a majority of them, in pursuance of such direction, shall be valid and effectual to pass all the estate or interest of such school district in the premises intended to be conveyed thereby, to the grantee named in such deed; and when a credit shall be directed to be given upon such sale, for the consideration money, or any part thereof, the trustees are hereby authorized to take in their corporate name, such security by bond and mortgage, or otherwise, for the payment thereof, as they shall deem best, and shall hold the same as a corporation, and account therefor to their successors in office and to the district, in the manner they are now required by law to account for moneys received by them; and the trustees of any such district for the time being, may in their name of office, sue for and recover the moneys due and unpaid upon any security so taken by them or their predecessors in office, with interest and cost.

§ 75. All moneys arising from any sale made in pursuance of the last preceding section, shall be appropriated to the payment of the expenses incurred in procuring a new site, and in removing or erecting a school-house, or either of them, so far as such application thereof shall be deemed necessary.

§ 76. The clerk, trustees and librarian of each school district, shall hold their respective offices until the annual meeting of such district next following the time of their appointment, and until others shall be elected in their places.

§ 77. In case the office of trustee shall be vacated by the death, refusal to serve, removal out of the district, or incapacity of any such officer, and the vacancy shall not be supplied by a district meeting within one month thereafter, the town superintendent of the town may appoint any person residing in such district to supply such vacancy.

§ 78. In case of a vacancy in the office of school district clerk, collector or librarian, for any of the causes mentioned in the next preceding section, such vacancy may be supplied by appointment under the hands of the trustees of the district or a majority of them, and the persons so appointed shall hold their respective offices until the next

annual meeting of the district, and until others are elected in their places.

§ 79. Every person duly chosen or appointed to any such office, who without sufficient cause, shall refuse to serve therein, shall forfeit the sum of five dollars; and every person so chosen or appointed, and not having refused to accept, who shall neglect to perform the duties of his office, shall forfeit the sum of ten dollars.

§ 80. Any person chosen or appointed to any such office may resign the same by presenting his resignation to the town superintendent of the town where such officer shall reside, who is authorized for sufficient cause shown to him, to accept the same, and the acceptance of such resignation shall be a bar to the recovery of either of the penalties mentioned in the preceding section. The town superintendent accepting the resignation, shall give notice thereof to the clerk, or to one of the trustees of the school district, to which the officer resigning shall belong.

§ 81. It shall be the duty of the clerk of each school district,

1. To record the proceedings of his district in a book to be provided for that purpose by the district, and to enter therein true copies of all reports made by the trustees of his district, to the town superintendent:

2. To give notice of the time and place for special district meetings, when the same shall be called by the trustees of the district, to each inhabitant of such district liable to pay taxes, at least five days before such meeting shall be held, in the manner prescribed in the fifty-fifth section of this act:

3. To affix a notice in writing of the time and place for any adjourned district meeting, when the same shall be adjourned for a longer time than one month, in at least four of the most public places of such district, at least five days before the time appointed for such adjourned meeting:

4. To give the like notice of every annual district meeting:

5. To keep and preserve all records, books and papers belonging to his office, and to deliver the same to his successor in office; and in case of his neglect or refusal so to do, he shall be subject to a fine of not exceeding fifty dollars.

OF THE DUTY OF TRUSTEES OF SCHOOL DISTRICTS.

§ 82. It shall be the duty of the trustees of every school district, and they shall have power,

1. To call special meetings of the inhabitants of such districts liable to pay taxes, whenever they shall deem it necessary and proper:

2. To give notice of special, annual and adjourned meetings in the manner prescribed in the last preceding section, if there be no clerk of the district, or he be absent or incapable of acting:

3. To make out a tax list of every district tax, voted by any such meeting, containing the names of all the taxable inhabitants residing in the district at the time of making out the list, and the amount of tax payable by each inhabitant, set opposite to his name:

4. To annex to such tax list a warrant, directed to the collector of the district for the collection of the sums in such list mentioned:

5. To purchase or lease a site for the district school-house, as designated by a meeting of the district, and to build, hire or purchase, keep in repair, and furnish such school-house with necessary fuel and appendages, out of the funds collected and paid to them for such purposes;

6. To have the custody and safe keeping of the district school-house:

7. To contract with and employ all teachers in the district:

8. To pay the wages of such teachers when qualified, out of the moneys which shall come into their hands from the town superintendents, so far as such moneys shall be sufficient for that purpose; and to collect the residue of

such wages, excepting such sums as may have been collected by the teachers, from all persons liable therefor:

9. To divide the public moneys received by them, whenever authorised by a vote of their district, into not exceeding two portions for each year; to assign and apply one of such portions to each term during which a school shall be kept in such district, for the payment of teachers' wages during such term, and to collect the residue of such wages, not paid by the proportion of public money allotted for that purpose, from the person liable therefor, as above provided:

10. To exempt from the payment of the wages of teachers either in part or wholly, such indigent persons within the district as they shall think proper, in any one quarter or term, and the same shall be a charge upon such district:

11. To certify such exemptions and deliver the certificate thereof to the clerk of the district, to be kept on file in his office:

12. To ascertain by examination of the school lists kept by such teachers, the number of days for which each person not so exempted, shall be liable to pay for instruction, and the amount payable by each person:

13. To make out a rate bill containing the name of each person so liable and the amount for which he is liable; and to annex thereto a warrant for the collection thereof:

14. To deliver such rate bill with the warrant annexed, after the expiration of thirty days from the time the same shall have been made out and signed by them, and notices thereof posted as provided for the payment and collection of district taxes, to the collector of the district, who shall execute the same in like manner with other warrants directed by such trustees, to such collector for the collection of district taxes.

§ 83. The said trustees after such rate bill and warrant shall be made out and signed as herein provided, shall cause notices thereof signed by them to be posted in their district as directed in the case of the collection of district taxes, and it shall be the duty of the said trustees or one of them, or the teacher to whom the moneys in such rate bill are payable at any time within thirty days thereafter, to receive payment from any person named therein, of the sum due from such person, and the same proceedings shall be had to compel and enforce the payment of the sums of money remaining due on such rate bills after the expiration of the said thirty days as is herein provided for the collection of district taxes, and the collector to whom any such rate bill and warrant shall be delivered for collection shall possess the same power, be entitled to the same fees, and subject to the same restrictions and liabilities with their bail and sureties, as by this title is provided in proceeding to collect school district taxes.

§ 84. Where by reason of the inability to collect any tax or rate bill, there shall be a deficiency in the amount raised, the inhabitants of the district in district meeting, shall direct the raising of a sufficient sum to supply such deficiency by tax, or the same shall be collected by rate bill, as the case may require.

OF THE ASSESSMENT AND COLLECTION OF SCHOOL DISTRICT TAXES.

§ 85. In making out a tax list, the trustees of school districts shall apportion the same on all the taxable inhabitants of the district or corporations holding property therein, according to the valuations of the taxable property which shall be owned or possessed by them at the time of making out such list within such district, or partly within such district and partly in an adjoining district, and upon all real estate lying within the boundaries of such district, the owners of which shall be non-residents, and which shall be liable to taxation for town or county purposes, and shall be situated within three miles of the site of the school house in such district. But when it shall be ascertained that the proportion of any tax upon any lot, tract or parcel not occupied by any inhabitant would not

amount to fifty cents, the trustees in their discretion may omit such lot, tract or parcel from the tax list.

§ 86. Any person working land under a contract for a share of the produce of such land, shall be deemed the possessor, so far as to render him liable to taxation therefor, in the district where such land is situate.

§ 87. Every person owning or holding any real property within any school district, who shall improve and occupy the same, by his agent or servant, shall, in respect to the liability of such property to taxation, be considered a taxable inhabitant of such district, in the same manner as if he actually resided therein.

§ 88. Where any district tax, for the purpose of purchasing a site for a school-house, or for purchasing, or building, keeping in repair, or furnishing such school-house with necessary fuel and appendages, shall be lawfully assessed and paid by any person, on account of any real property, whereof he is only tenant at will, or for three years, or for a less period of time, such tenant may charge the owner of such real estate with the amount of the tax so paid by him, unless some agreement to the contrary shall have been made by such tenant.

§ 89. When any real estate within a district, so liable to taxation, shall not be occupied and improved by the owner, his servant or agent, and shall not be possessed by any tenant, the trustees of any district at the time of making out any tax list by which any tax shall be imposed thereon, shall make and insert in such tax list a statement and description of every such lot, piece or parcel of land so owned by non-residents therein, in the same manner as required by law from town assessors in making out the assessment roll of their towns; and if any such lot is known to belong to an incorporated company liable to taxation in such district, the name of such company shall be specified, and the value of such lot or piece of land shall be set down opposite to such description, which value shall be the same that was affixed to such lot or piece of land in the last assessment roll of the town; and if the same was not separately valued in such roll, then it shall be valued in proportion to the valuation which was affixed in the said assessment roll to the whole tract, of which such lot or piece shall be a part.

§ 90. If any tax on the real estate of a non-resident mentioned in the tax list delivered to the collector shall be unpaid at the time he is required by law to return his warrant, he shall deliver to the trustees of such district an account of the taxes so remaining due, containing a description of the lots and pieces of land upon which any taxes were imposed as the same were stated in his tax list together with the amount of the tax assessed on each, and upon making oath before any justice of the peace or judge of any court of record that the taxes mentioned in such account remain unpaid, and that after diligent efforts he has been unable to collect the same, he shall be credited by said trustees with the amount thereof.

§ 91. Whenever the trustees of any school district shall receive such an account of unpaid taxes from any collector, they shall compare the same with the original tax list, and if found to be a true transcript, they shall add to such account a certificate to the effect that they have compared the same with the original tax list and found it to be correct, and shall immediately transmit such account, with the affidavit of the collector, and their certificate to the treasurer of the county.

§ 92. Out of any moneys in the county treasury, raised for contingent expenses, the county treasurer shall pay to the trustees of the school district in which such taxes were imposed, the amount thereof so returned as unpaid.

§ 93. Such account, affidavit and certificate shall be laid, by the county treasurer, before the board of supervisors of the county, who shall cause the amount of such unpaid taxes, with seven per cent of the amount in addition thereto, to be levied upon the lands of non-residents on which the same were imposed, and if imposed upon the lands of any incorporated company, then upon such company, in the same manner that the contingent charges of the coun-

ty are directed to be levied and collected, and when collected the same shall be returned to the county treasury to reimburse the amount so advanced, with the expense of collection.

§ 94. Any person whose lands are included in any such account may pay the tax assessed thereon to the county treasurer, at any time before the board of supervisors shall have directed the same to be levied.

§ 95. The same proceedings in all respects shall be had for the collection of the amount so directed to be raised by the board of supervisors as are provided by law in relation to county taxes; and upon a similar account as in the case of county taxes of the arrears thereof uncollected, being transmitted by the county treasurer to the Comptroller, the same shall be paid on his warrant to the treasurer of the county advancing the same; and the amount so assumed by the State shall be collected for its benefit, in the manner prescribed by law in respect to the arrears of county taxes upon lands of non-residents; or if any part of the amount so assumed consisted of a tax upon any incorporated company, the same proceedings may also be had for the collection thereof as provided by law, in respect to the county taxes assessed upon such company.

§ 96. The valuations of taxable property shall be ascertained so far as possible, from the last assessment roll of the town; and no person shall be entitled to any reduction in the valuation of such property, as so ascertained unless he shall give notice of his claim to such reduction, to the trustees of the district, before the tax list shall be made out.

§ 97. In every case where such reduction shall be duly claimed, and in every case where the valuation of taxable property cannot be ascertained, from the last assessment roll of the town, the trustees shall ascertain the true value of the property to be taxed, from the best evidence in their power, giving notice to the persons interested, and proceeding in the same manner as the town assessors are required by law to proceed, in the valuations of taxable property.

§ 98. Every taxable inhabitant of a district who shall have been, within four years, set off from any other district without his consent, and shall within that period have actually paid in such other district, under a lawful assessment therein, a district tax for building a school house shall be exempted by the trustees of the district where he shall reside from the payment of any tax for building a school house therein.

§ 99. Every district tax shall be assessed, and the tax list thereof be made out by the trustees, and a proper warrant attached thereto, within one month after the district meeting in which the tax shall have been voted; and when there shall be a tax of more than one hundred dollars, it shall be the duty of the trustees of the district immediately thereafter to cause notices of the completion thereof, to be posted up in three of the most public places in the district, and so located as to be most likely to give notice to the inhabitants thereof, and shall designate in such notices a convenient place in such district, where the said trustees, or one of them will attend from one to five o'clock in the afternoon, at least once in each week for two successive weeks, on a day also to be specified in such notice, to receive payment of the taxes mentioned in such tax list; and it shall be the duty of the said trustees or one of them to attend accordingly, and any person may pay his taxes to such trustee at the time and place designated, or at any other time and place to any trustee having the said tax list and warrant, within fifteen days from the first posting of the said notices.

§ 100. It shall be the duty of the said trustees after the expiration of the said fifteen days, to deliver the said tax list and warrant to the collector of the district, and such collector is hereby authorized and directed to proceed and collect the unpaid taxes remaining in said tax lists, in the manner provided by law, and shall pay over to the said trustees, all the moneys collected or received by him on such tax list within thirty days from the time of the receipt

of such warrant and tax list, and such collector shall be entitled to receive five per cent fees on each dollar by them respectively collected, which said fees shall be collected with such unpaid taxes from the several and respective persons named in said tax list.

§ 101. If by the neglect of any collector, any school moneys shall be lost to any school district, which might have been collected within the time limited in the warrant delivered to him for their collection, he shall forfeit to such district the full amount of the moneys thus lost, and shall account for and pay over the same to the trustees of such district, in the same manner as if they had been collected.

§ 102. For the recovery of all forfeitures, and of balances in the hands of a collector which he shall have neglected to pay over, the trustees of the district may sue in their name of office, and shall be entitled to recover the same with interest and costs; and the moneys recovered shall be applied by them in the same manner as if paid without suit.

§ 103. Any collector to whom any such tax list and warrant may be delivered for collection, may execute the same in any other district or town in the same county, or in any other county, where the district is a joint district, and composed of territory from adjoining counties, in the same manner, and with the like authority as in the district in which the trustees issuing the said warrant may reside, and for the benefit of which said tax is intended to be collected, and the bail or sureties of any collector given for the faithful performance of his official duties, are hereby declared and made liable for any moneys received or collected on any such tax list and warrant, and may be prosecuted for the recovery thereof.

§ 104. It shall be the duty of the trustees of school districts, to procure for the use of their district, two bound blank books from time to time, as shall be necessary, in one of which the accounts of all moneys received and paid by the trustees, and a statement of all moveable property belonging to the district, shall be entered at large, and signed by such trustees, at or before each annual meeting in such district. In the other of the said books, the teachers shall enter the names of the scholars attending school, and the number of days they shall have respectively attended, and also the days on which such school shall have been inspected by the town superintendent; which entries shall be verified by the oath or affirmation of the teachers, and shall constitute the list on which rate bills shall be apportioned. The said books shall be preserved by the trustees as the property of the district, and shall be delivered to their successors.

§ 105. Where the necessary fuel for the school of any district shall not be provided, by means of a tax on the inhabitants of the district, it shall be the duty of every person sending a child to the school, to provide his just proportion of such fuel.

§ 106. The proportion of fuel which every person sending children to the school, shall be liable to provide, shall be determined by the trustees of the district, according to the number of children sent by each; but such indigent persons as in the judgment of the trustees, shall be unable to provide the same, shall be exempted from such liability.

§ 107. If any person liable to provide such fuel, shall omit to provide the same, on notice from any one of such trustees, it shall be the duty of the trustees to furnish such fuel, and to charge the person so in default, the value of the fuel so furnished.

§ 108. Such value may be added to the rate bill of the moneys due for instruction, and may be collected therewith, and in the same manner; or the trustees may sue for, and recover the same, in their own names, with costs of suit.

§ 109. When the trustees of any school district are required or authorized by law, or by vote of their district, to incur any expense for such district, and when any expenses incurred by them, are made by express provision of law a charge upon such district, they may raise the amount thereof by tax in the same manner as if the defi-

nite sum to be raised had been voted by a district meeting. and the same shall be collected and paid over in the same manner.

§ 110. The warrant issued and annexed to any tax list or rate bill, shall be under the hands of the trustees of the district or a majority of them, and it shall not be necessary for the said trustees to affix their seals to any such warrant.

§ 111. The warrants issued by the trustees of school districts for the collection of any district tax authorized to be levied, raised and collected by this title, or for the collection of any district school rate bill shall have the like force and effect as warrants issued by boards of supervisors of counties to collectors of taxes in towns; and the collector to whom any such warrant may be delivered for collection is hereby authorized and required to collect from every person in such tax list or rate bill named, the sum therein set opposite to his name, or the amount due from any person or persons specified therein, in the same manner that collectors are authorized to collect town and county charges.*

§ 112. If the sum or sums of money, payable by any person named in such tax list or rate bill, shall not be paid by him, or collected by such warrant within the time therein limited, it shall and may be lawful for the trustees to renew such warrant, in respect to such delinquent person; or in case such person shall not reside within their district, at the time of making out a tax list or rate bill, or shall not reside therein at the expiration of such warrant, and no goods or chattels can be found therein whereon to levy the same, the trustees may sue for and recover the same in their name of office.

§ 113. Whenever the trustees of any school district shall discover any error in a tax list or rate bill made out by them, they may with the approbation and consent of the state superintendent, after refunding any amount that may have been improperly collected on such tax list or rate bill, if the same shall be required, amend and correct such tax list or rate bill, in conformity to law; and whenever more than one renewal of a warrant for the collection of any tax list or rate bill, may become necessary in any district, the trustees may make such further renewal, with the written approbation of the town superintendent of the town in which the school-house of said district shall be located, to be endorsed upon such warrant.

§ 114. If the moneys apportioned to a district by the town superintendent shall not have been paid, it shall be the duty of the trustees thereof, to bring a suit for the recovery of the same, with interest, against the town superintendent in whose hands the same shall be, or to pursue such other remedy for the recovery thereof, as is or shall be given by law.

OF THE ANNUAL REPORTS OF TRUSTEES, THEIR DUTIES AND LIABILITIES.

§ 115. The trustees of each school district shall, between the first and fifteenth days of January, in every year, make and transmit a report, in writing, to the town superintendent for such town, dated on the first day of January, in the year in which it shall be transmitted.

§ 116. Every such report signed and certified by a majority of the trustees making it, shall be delivered to the town superintendent and shall specify,

1. The whole time any school has been kept in their district during the year ending on the day previous to the date of such report, and distinguishing what portion of the time such school has been kept by qualified teachers:

2. The amount of moneys received from the town superintendent during such year, and the manner in which such moneys have been expended:

3. The number of children taught in the district during such year, and the name and age of each child:

4. The name and age of each child residing in the district on the last day of December previous to the making of such report, over the age of five years, and under sixteen years of age, (except Indian children otherwise provided for by law,) and the names of the parents or other persons with

whom such children shall respectively reside, and the number of children residing with each:

5. The amount of money paid for teachers' wages in addition to the public money paid therefor, the amount of taxes levied in said district, for purchasing school house sites, for building, hiring, purchasing, repairing and insuring school houses, for fuel, for supplying deficiencies in rate bills, for district libraries, or for any other purpose allowed by law, and such other information in relation to the schools and the districts as the superintendent of common schools may from time to time require.

§ 117. It shall not be lawful for the trustees of any school district to include in their annual returns, the names of any children who are supported at a county poor-house or orphan asylum.

§ 118. The annual reports of trustees of school districts, of children residing in their district, shall include all over five and under sixteen years of age, who shall, at the date of such report, actually be in the district, composing a part of the family of their parents or guardians, or employers, if such parents, guardians or employers reside at the time in such district, although such residence be temporary, but such report shall not include children belonging to the family of any person who shall be an inhabitant of any other district in this state, in which such children may by law be included in the reports of its trustees.

§ 119. The trustees of school districts shall not enumerate and include in their annual reports any Indian children residing on Indian reservations, where schools are taught.

§ 120. All children included in the reports of the trustees of any new school district shall be entitled to attend the schools of such district; and whenever it shall be necessary for the accommodation of the children in any district, the trustees thereof may hire, temporarily, any room or rooms for the keeping of schools therein, and the expense thereof shall be a charge upon such district.

§ 121. Where a school district is formed out of two or more adjoining towns, it shall be the duty of the trustees of such district, to make and transmit a report to the town superintendent for each of the towns out of which such district shall be formed, within the same time, and in the same manner, as is required by sections one hundred and fifteen, and one hundred and sixteen, of this act; distinguishing the number of children over the age of five and under sixteen years, residing in each part of a district which shall be in a different town from the other parts, and the number of children taught, and the amount of school moneys received from each part of the district.

§ 122. Where any neighborhood shall be set off by itself, the inhabitants of such separate neighborhood shall annually meet together and choose one trustee; whose duty it shall be every year, within the time limited for making district reports, to make and transmit a report in writing, bearing date on the first day of January, in the year in which it shall be transmitted to the town superintendent of the town from which such neighborhood shall be set off, specifying the number of children over the age of five and under sixteen years, residing in such neighborhood, the amount of moneys received from the town superintendent since the date of last report, and the manner in which the same has been expended.

§ 123. Every trustee of a school district, or separate neighborhood, who shall wilfully sign a false report to the town superintendent of his town, with the intent of causing such town superintendent to apportion and pay to his district or neighborhood, a larger sum than its just proportion of the school moneys of the town, shall for each offence, forfeit the sum of twenty-five dollars, and shall also be deemed guilty of a misdemeanor.

§ 124. All property now vested in the trustees of any school district, for the use of schools in the district, or which may be hereafter transferred to such trustees for that purpose, shall be held by them as a corporation.

§ 125. The trustees of each school district shall, once in each year render to the district, at its annual district meeting, a just and true account in writing, of all moneys received by them respectively for the use of their district; and of the manner in which the same shall have been expended, which account shall be delivered to the district clerk and be filed and recorded by him.

§ 126. Any balance of such moneys, which shall appear from such account to remain in the hands of the trustees or either of them, at the time of rendering the account, shall immediately be paid to some one or more of their successors in office.

§ 127. Every trustee who shall refuse or neglect to render such account, or to pay over any balance so found in his hands, shall for each offence, forfeit the sum of twenty-five dollars.

§ 128. It shall be the duty of his successors in office to prosecute without delay, in their name of office, for the recovery of such forfeiture; and the moneys recovered shall

* NOTE. There are now four sections published in the school laws, all relating to this same subject, and it is believed the above section embraces all that is necessary to accomplish the objects desired.

be applied by them to the use and benefit of their district schools.

§ 129. Such successors shall also have the same remedies for the recovery of any unpaid balance in the hands of a former trustee, or his representatives, as are given to the town superintendent against a former town superintendent and his representatives; and the moneys recovered shall be applied by them to the use of their district, in the same manner as if they had been paid without suit.

§ 130. Every trustee of a school district who shall, while in office, neglect or refuse annually to render an account of the moneys received by him as such trustee, shall for each offence, forfeit the sum of twenty-five dollars; and it shall be the duty of the town superintendent of the town in which such trustee may reside, to prosecute, without delay, in his name of office, for the recovery of such forfeiture; and the moneys recovered shall be applied by such superintendent, to the use and benefit of the district school of the district to which such defaulting trustee shall belong.

§ 131. Such town superintendent shall also have the same remedies for the recovery of any unpaid balance of moneys, in the hands of such delinquent trustee, in office, as are given to the town superintendents in office, against a former town superintendent; and the moneys recovered shall be applied by such town superintendent to the use of the district to which the same may belong, and be paid over to the trustee or trustees of such district, who are not in default.

§ 132. Any person conceiving himself aggrieved in consequence of any decision made,

1. By any school district meeting;
2. By the town superintendent in the forming or altering, or in refusing to form or alter any school district, or in refusing to pay any school moneys to any such district;
3. By the trustees of any district, in paying any teacher, or refusing to pay him, or in refusing to admit any scholar gratuitously into any school;
4. Or concerning any other matter under the present title, may appeal to the superintendent, who is hereby authorized and required to examine and decide the same: and the decision of the state superintendent shall be final and conclusive.

OF SCHOOL DISTRICT LIBRARIES.

§ 133. The taxable inhabitants of each school district in the state, shall have power when lawfully assembled at any district meeting, to lay a tax on the district not exceeding ten dollars in any one year, for the purchase of a district library, consisting of such books as they shall in their district meeting direct, and such further sum as they may deem necessary for the purchase of a book case: The intention to propose such tax, shall be stated in the notice required to be given of such meeting.

§ 134. The clerk of the district, or such other person as the taxable inhabitants may at their annual meeting designate and appoint by a majority of votes, shall be the librarian of the district, and shall have the care and custody of the library, under such regulations as the inhabitants may adopt for his government.

§ 135. The taxes authorized by the foregoing section to be raised, shall be assessed and collected in the same manner as a tax for building a school house.

§ 136. The sum of fifty-five thousand dollars, together with an equal sum to be raised in the towns, and directed to be distributed to the several school districts of this state, by the fourth section of chapter two hundred and thirty-seven, of the Laws of eighteen hundred and thirty-eight, shall continue to be applied to the purchase of books for a district library, until otherwise directed; but whenever the number of volumes in the district library of any district, numbering over fifty children between the ages of five and sixteen years, shall exceed one hundred and twenty-five, or of any district numbering fifty children or less, between the said ages, shall exceed one hundred volumes, the inhabitants of the district qualified to vote therein, may, at a special or annual meeting duly notified for that purpose, by a majority of votes, appropriate the whole, or any part of the library money belonging to the district for the current year, to the purchase of maps, globes, black-boards, or other scientific apparatus, for the use of the school: And in every district having the required number of volumes in the district library, and the maps, globes, black-boards, and other apparatus aforesaid, the said moneys, with the approbation of the state superintendent, may be applied to the payment of teachers' wages.

§ 137. The trustees of every school district shall be trustees of the library of such district; and the property of all books therein, and of the case and other appurtenances thereof, shall be deemed to be vested in such trustees, so as to enable them to maintain any action in relation to the same: It shall be their duty to preserve such books and keep them in repair; and the expenses incurred for that purpose, may be included in any tax list to be made out by them as trustees of a district, and added to any tax voted by a dis-

trict meeting, and shall be collected and paid over in the same manner: The librarian of any district library shall be subject to the directions of the trustees thereof, in all matters relating to the preservation of the books and appurtenances of the library, and may be removed from office by them for wilful disobedience of such directions or for any wilful neglect of duty.

§ 138. Trustees of school districts shall be liable to their successors for any neglect or omission, in relation to the care and superintendence of district libraries, by which any books therein are lost or injured, to the full amount of such loss or injury, in an action on the case, to be brought by such successors in their name of office.

§ 139. A set of general regulations respecting the preservation of school district libraries, the delivery of them by librarians and trustees to their successors in office, the use of them by the inhabitants of the district, the number of volumes to be taken by any one person at any one time or during any term, the periods of their return, the fines and penalties that may be imposed by the trustees of such libraries for not returning, for losing or destroying any of the books therein, or for soiling, defacing or injuring them, and the conditions upon which any school district may apply the library money to the payment of teachers' wages, may be framed by the State superintendent, and printed copies thereof shall be furnished to each school district of the state; which regulations shall be obligatory upon all persons and officers having charge of such libraries, or using or possessing any of the books thereof: Such fines may be recovered in an action of debt, in the name of the trustees of any such library, of the person on whom they are imposed, except such person be a minor; in which case they may be recovered of the parent or guardian of such minor, unless notice in writing shall have been given by such parent or guardian to the trustees of such library, that they will not be responsible for any books delivered such minor: And persons with whom such minors reside shall be liable in the same manner and to the same extent, in cases where the parent of such minor does not reside in the district.

§ 140. Any person conceiving himself aggrieved by any act or decision of any trustees of school districts, concerning district libraries, or the books therein, or the use of such books, or of any librarian, or of any district meeting in relation to their school library, may appeal to the State superintendent, in the same manner as provided by law.

§ 141. The legal voters in any two or more adjoining districts may, in such cases as may be approved by the town superintendent, unite their library moneys and funds as they shall be received or collected, and purchase a joint library for the use of the inhabitants of such districts, which shall be selected by the trustees thereof, or by such persons as they shall designate, and shall be under the charge of a librarian to be appointed by them; and the foregoing provisions of this act shall be applicable to the said joint libraries, except that the property in them shall be deemed to be vested in all the trustees, for the time being, of the districts so united. And in case any such district shall desire to divide such library, such division shall be made by the trustees of the two districts whose libraries are so united; and in case they cannot agree, then such division shall be made by the town superintendent.

§ 142. Where, by reason of the non-compliance with the conditions prescribed by law, the library money shall be withheld from any school district, the same may be distributed among other districts complying with such conditions, or may be retained and paid subsequently to the district from which the same was withheld, as shall be directed by the State superintendent, according to the circumstances of the case.

§ 143. The State superintendent, whenever requested by the trustees of a school district, under the directions of the legal voters of such district, may select a library for their use, and cause the same to be delivered to the clerk of the county in which such district is situated, at its expense.

OF MISCELLANEOUS PROVISIONS CONNECTED WITH THE FOREGOING ARTICLES.

§ 144. It shall be the duty of each county clerk, immediately after the first day of August in every year, in case the town superintendent of any town in his county shall have neglected to make to him his annual report, to give notice of such neglect to the clerk of the town, who shall immediately notify such town superintendent for the purpose of making his report.

§ 145. Town superintendents, trustees, collectors and clerks of school districts, refusing or wilfully neglecting to make any report, or to perform any other duty required by law, or by regulations or decisions made under the authority of any statute, shall severally forfeit to their town, or to their district as the case may be, for the use of the common schools therein, the sum of ten dollars for each such neglect or refusal, which penalty shall be sued for and collected by

the supervisor of the town, and paid over to the proper officers to be distributed for the benefit of the common schools in the town or district to which such penalty belongs; and when the share of school or library money apportioned to any town or district, or school or any portions thereof, or any money to which a town or district would have been entitled, shall be lost in consequence of any wilful neglect of official duty by any town superintendent, or trustees or clerks of school districts, the officers guilty of such neglect shall forfeit to the town or district the full amount, with interest, of the moneys so lost; and they shall be jointly and severally liable for the payment of such forfeiture.

§ 146. In any suit which shall hereafter be commenced against town superintendents, or officers of school districts, for any act performed by virtue of, or under color of their offices, or for any refusal or omission to perform any duty enjoined by law, and which might have been the subject of an appeal to the superintendent, no costs shall be allowed to the plaintiff in cases where the court shall certify that it appeared on the trial of the cause that the defendants acted in good faith. But this provision shall not extend to suits for penalties, nor to suits or proceedings to enforce the decisions of the superintendent.

§ 147. A school for colored children may be established in any city or town of this State, with approbation of the commissioners or town superintendent of such city or town, which shall be under the charge of the trustees of the district in which such school shall be kept; and in places where no school districts exist, or where from any cause it may be expedient, such school may be placed in charge of trustees to be appointed by the commissioners or town superintendent of common schools of the town or city, and if there be none, to be appointed by the State superintendent. Returns shall be made by the trustees of such schools to the town superintendent, at the same time and in the same manner as now provided by law in relation to districts; and they shall particularly specify the number of colored children over five and under sixteen years of age, attending such school from different districts, naming such districts respectively, and the number from each. The town superintendent shall apportion and pay over to the trustees of such schools, a portion of the money received by them annually, in the same manner as now provided by law in respect to school districts, allowing to such schools the proper proportion for each child over five and under sixteen years, who shall have been instructed in such school at least four months by a teacher duly licensed, and shall deduct such proportion from the amount that would have been apportioned to the district to which such child belongs; and in his report to the State superintendent, the town superintendent shall specially designate the schools for colored children in his town or city.

§ 148. The State superintendent may cause to be printed a sufficient number of forms of reports by trustees of school districts and town superintendents, and of lists of pupils attending schools, and cause them to be transmitted to the several county clerks, for the use of those officers and of teachers of schools; and he shall cause Title Second of Chapter fifteen and Part First of the Revised Statutes to be printed, and shall insert therein all acts and parts of acts which have been passed by the legislature, connected with the subjects of the said Title, which are now in force; and where any provisions of the said Title have been altered by the subsequent acts, such provisions shall be varied so as to make them conformable to such alterations; but the original numbers of the sections shall be indicated in such mode as he shall judge proper, except as herein amended or altered. Copies of the said title so amended shall be transmitted to the town superintendent, and all other officers charged with the performance of any duty under its provisions, with such explanations and instructions as may be deemed expedient.

§ 149. The superintendent of common schools is hereby authorized and directed to cause to be printed in pamphlet form as many copies of this act, and of the forms necessary to be used under its provisions, as he may deem sufficient for the information of the trustees of common schools, and to cause the same to be distributed for that purpose.

§ 150. All such provisions of law as are repugnant to, or inconsistent with, the provisions of this title, are hereby repealed; but nothing herein contained shall be so construed as to impair or affect any of the local provisions respecting the organization and management of schools in any of the incorporated cities or villages or towns of this State, except as the same are affected by the next preceding section of this act.

STATE OF NEW-YORK,
SECRETARY'S OFFICE.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of such original.

N. S. BENTON, *Secretary of State.*

Albany, December 16, 1847.

REGENTS OF THE UNIVERSITY.

At a meeting of the Regents, held Dec. 3, 1847, the honorary degree of DOCTOR OF MEDICINE was, on recommendation of the Trustees of the College of Physicians and Surgeons in the city of New-York, conferred on Professor LOUIS AGASSIZ, late of Neufchatel, in Switzerland, but now a Professor in Harvard University. The world-wide reputation of M. Agassiz as an eminent philosopher and naturalist renders this mark of distinction peculiarly deserved.

At the same meeting, the honorary degree of DOCTOR OF MEDICINE was also conferred on WILLIAM FARR, Esq., of London. Mr. Farr has been regularly educated as a Surgeon, has been long known as a writer on medical statistics, has published several independent works, besides being the author of the chapter on "Vital Statistics," in McCulloch's Statistical Account of the British Empire. He is at present connected with the Registrar's General of England's Department, and is well known as the author of the elaborate Annual Reports on the Births and Deaths in that Kingdom.

The following preamble and resolution were also unanimously adopted, on motion of the Chancellor and seconded by the Vice-Chancellor:

Whereas, It appears from the Annual Reports of several of the Colleges in this state made to the Regents during the current year, that the French Language is not pursued as a regular study; and the Regents being deeply impressed with the necessity and importance of making the same a sub-graduate subject of instruction—

Resolved, That a Circular be addressed to the respective Colleges, subject to our visitation, advising the immediate adoption of the French Language as a branch of study.

The Regents, at the same meeting, appropriated a portion of the money granted by a recent act of the legislature, for the promotion of literary and scientific exchanges with other states and with foreign nations, in compensation of M. Vattemare's long and disinterested services, and for the permanent establishment of an office of receipt and delivery at New-York.

A charter was granted to DE RUYTER INSTITUTE, in the county of Madison; the former academy under that name having been unfortunate in its affairs, and being virtually dissolved.

Spencertown Academy, in the county of Columbia, incorporated by the legislature in 1845, was received under the visitation of the Regents.

The following sums of money (an equal amount having been raised by the respective academies) were granted for the purchase of books and apparatus.

Delaware Literary Institute,.....	\$200 00
Spencertown Academy,.....	156 30

The annual report of Hartwick Seminary was received and referred.

The Regents then adjourned, to meet according to law, on the second Thursday in January, 1848.

T. ROMEYN BECK,

Secretary.

DISTRICT SCHOOL JOURNAL.

ALBANY, JANUARY, 1847.

THE JOURNAL.

Upon the first of April we shall issue the first number of a new volume of the Journal. We give this timely notice, that all persons who wish to receive the Journal may comply with our rule and send their subscriptions in advance. *The name of every person neglecting to do so, will be stricken from the list of subscribers and his paper be discontinued.*

COMMON SCHOOLS.

Now that the office of County Superintendent is abolished, it will be necessary for every well-wisher of our common school system, to do all he can, that education among us may not retrograde. If parents and others neglect the school and a healthful supervision is no longer kept up, nothing else can be expected, but that incompetent teachers, serving for small compensation, will take the place of faithful, competent teachers; the hearts of good teachers will fail them because of the want of countenance and sympathy, and our children grow up in ignorance and vice.

It is most distressing to witness the apathy of the vast majority of the people upon this subject. A gentleman writing to Hon. N. S. Benton, the State Superintendent, makes the following remarks:

"The obstacles in the way of the advancement of education in common schools is the apathy of parents and others, who should feel interested. Our citizens in all pecuniary matters, are as they should be, keenly alive to their interests. If a farmer or mechanic employs a man at wages in the most insignificant business, the amount of compensation will elicit the watchful supervision of his employer; he will look to it that the laborer earns his hire. But the schoolmaster is apparently a different and privileged being; he is employed in a most responsible calling, at perhaps high wages; takes his place in the school room, continues there through his term of perhaps four or six months, calls for his pay, and then apparently for the first time, too many of his employers awake and find 'the schoolmaster abroad' literally at their doors, calling for their pay, and ten to one, they grumble because his rate-bill shows a greater indebtedness than they feel it convenient or pleasant to pay."

We do not hesitate to say, that if with all the facilities the State of New-York enjoys, the cause of education does not progress among us; the fault is attributable not to the system, nor to the teachers, but to the public who take little interest in the subject.

That implicit credulity is the mark of a feeble mind, will not be disputed; but it may not, perhaps, be as generally acknowledged that the case is the same with unlimited scepticism.

ODDS AND ENDS TOUCHING THE

ENGLISH LANGUAGE, BY TWO.

No. II.

What a very pretty figure is the following, by our quondam cross neighbor, Sir Francis Head.

"These little showers are exceedingly common among the hills of Nassau, in the evening of very hot days. From the power of the sun, the valleys during the day are filled brim full with a steam or exhalation, which no sooner loses its parent, the sun, than the cold condenses it; and then, like the tear on the cheek of a child that has suddenly missed its mother, down it falls in heavy drops, and the next instant—smiles again." (Bubbles from the Brunnen.)

Worsted.—Blomefield, the historian of Norfolk, thinks that a colony of Flemings settled as early as the reign of Henry the Second, at Worsted in that county, and immortalized its name by their manufacture. It soon reached Norwich, though not conspicuous, till the reign of Edward the First. (Hallam's Middle Ages.)

Crucible, Experimentum Crucis.—"For the purpose of propitiating the favour of heaven, the alchemist stamped the figure of the cross upon the vessel, in which he expected to obtain the long sought prize, that was to convert the baser metals into gold, whence the term *crucible* took its origin. And when the experiments of chemistry began to be considered as the true tests of philosophical truth, the expression of *experimentum crucis* was adopted to signify the highest degree of proof, of which a subject is susceptible." (Dr. Paris.)

"The first half dozen lessons are tedious, difficult and disagreeable," said a German teacher to his Irish pupil; "after that, you will begin to appreciate the beauties of the language." "Then, suppose we begin at the seventh lesson at once." (Theodore Hook.) How many boys would be pleased with such an arrangement; and how many quacks *pander* to their ignorance, and impose on the credulity of their parents!

"In a language like ours, where so many words are derived from other languages, there are few modes of instruction more useful or more amusing than that of accustoming young people to seek for the etymology or primary meaning of the words they use. There are cases, in which more knowledge of more value may be conveyed by the history of a word, than by the history of a campaign." (Coleridge's Aids to Reflection.)

"From the Anglo-Saxons, we derive the names of the most ancient officers among us, of the greater part of the divisions of the kingdom, and of almost all our towns and villages. From them, also, we derive our language; of which, the structure, and a majority of the words, much greater than those who have not thought on the subject would at first easily believe are Saxon. Of sixty-nine words which make up the Lord's Prayer, there are only five not Saxon; the best example of the natural bent of our language, and of the words apt to be chosen by those who speak and write it without design. Of eighty-one words in the soliloquy of Hamlet, thirteen only are of Latin origin. Even in a passage of ninety words in Milton, whose diction is more learned than that of any other poet, there are only sixteen Latin words. In four verses of the authorized version of Genesis, which contain about one hundred and thirty words, there are no more than five Latin. In seventy-nine words of Addison, whose perfect taste preserved him from a pedantic or constrained preference for any portion of the language, we find only fifteen Latin. In later times, the language has rebelled against the bad taste of those otherwise vigorous writers, who, instead of ennobling their style, like Milton, by the position and combination of words, have tried to raise it by unusual and far-fetched expressions. Dr. Johnson, himself, from whose corruptions English style is only recovering, in eighty-seven words of his fine parallel between Dryden and Pope,

has found means to introduce no more than twenty-one of Latin derivation. The language of familiar intercourse, the terms of jest and pleasantry, and those of necessary business, the idioms of peculiar phrases, into which naturally run, the proverbs, which are the condensed and pointed sense of the people, the particles on which our syntax depends, and which are of perpetual recurrence; all these foundations of a language are more decisive proofs of the Saxon origin of ours, than even the great majority of Saxon words in writing, and the still greater majority in speaking. In all cases, where we have preserved a whole family of words, the superior significance of a Saxon over a Latin term is most remarkable. "Well being arises from well doing," is a Saxon phrase, which may be thus rendered into the Latin part of our language. "Felicity attends virtue;" but how inferior in force is the latter! In the Saxon phrase, the parts or roots of words being significant in our language, and familiar to our eyes and ears, throw their whole meaning into the compounds and derivations; while the Latin words of the same import, having their roots and elements in a foreign language, carry only a cold and conventional signification to an English ear." (Sir James Mackintosh's History of England, volume 1.)

When Dr. Adam Littleton was compiling his Latin dictionary, and announced the verb "concurro" to his amanuensis, the scribe, imagining that the various uses of the word would, as usual, begin with the most literal translation, said "concur, I suppose, sir;" to which the doctor replied, peevishly, "concur! condog!" The secretary, whose business it was to write what his master dictated, accordingly did his duty; and the word "condog" was inserted, and is actually printed as one interpretation of "concurro," in the first edition (1678,) though it has been expunged, and does not appear in subsequent editions. (Pegge's Anecdotes of the English Language, p. 237.)

D'Israeli concurs in this statement, and ascribes the whole to Dr. Littleton's inveterate habit of punning. He quotes the article as it stood in the original edition, thus "concurro"—to run with others, to run together, to come together, to fall foul of one another, to *concur*, to *condog*." (Curiosities of Literature, vol. 2.)

Baccalaureate.—"It was in the thirteenth century, the establishment of Bachelor and Doctor was fixed in the Universities. Those who were found worthy of the honor obtained the laurel of Bachelor, or the laurel of Doctor. Laurea Baccalaureatus; Laurea Doctoratus. At their reception, they not only assumed the title, but they had a crown of laurel placed on their heads." (D'Israeli.)

Codification and International.—"It was the ambition of a Roman emperor to plant a word, which should be allowed by after times to grow. Two words at least have been planted by Bentham, and adopted into our language; the adjective—*international*. and the noun—*codification*, with its conjugates, to codify and codifiers." (Dr. Bowring.)

To *forgive* in English, and *vergeben* in German, have evidently a common origin, unless one be derived from the other. Yet the latter has another meaning. Heine (young Germany), in speaking of German hatred, relates the following anecdote: "I know that German calm, sir, (said a lady the other day, looking into me with all her eyes, and with an incredulous smile,) I know it well, sir. I am aware, that in your language, the same word means both to *pardon* and to *poison*." She was right; the word *vergeben* has this double sense. (Quarterly Review.)

Uses of Interjections.—A woman of rank, some time since, lost her husband. She was acquainted with Talleyrand, and wrote him a long, lacrymose detail of her misfortunes, probably with the object of inducing his gallantry to obtain a pension for her. But his gallantry produced simply a letter to the widow, containing the words—"Helas! madame."

In a few months, however, the widow acquainted the minister, that having found a reconciler to life in the shape of a young officer, she had the honor to request his excellency's continued friendship and protection. This second attempt on his sensibility had the fate of the first. His letter simply contained the words—"Ho! ho! madame." (Blackwood.)

EDITOR'S TABLE.

"Lays of Love and Faith, with other fugitive poems; by George W. Bethune. Philadelphia; Lindsay & Blackiston, 1848. pp. 184."

Dr. Bethune has greater versatility of talent than almost any other man in our country. It is but the other day, we read with great delight his edition of Walton's *Complete Angler*, enriched with learned notes, and most interesting bibliographical remarks; and here, now, is a volume of poems, rich in sentiment and abounding in beautiful imagery. Take the following as a specimen; it may be called the preface of the volume.

"As one arranges in a simple vase,
A little store of unpretending flowers,
So gathered I some records of past hours,
And trust them, gentle reader, to thy grace;
Nor hope that in my pages thou wilt trace
The brilliant proof of high poetic powers;
But dear memorials of my happy days,
When Heaven shed blessings on my heart, like showers,
Clothing with beauty ev'n the desert place;
Till I, with thankful gladness in my looks,
Turned me to God, sweet nature, loving friends,
Christ's little children, well-worn ancient books,
The charm of art, the rapture music sends;
And sang away the grief that on man's lot attends."

The Harpers have published the 33d and 34th numbers of the *Pictorial History of England*. The 34th number we have not seen; but the 33d we have read with great delight. The American public are greatly indebted to the Harpers for the republication of this book, in such a beautiful style and at so low a price. The English edition costs, in London, £4, 16s.

Chambers' *Miscellany*, numbers 6, 7 and 8, have been received. We exceedingly regret that we cannot transfer to our columns some of the interesting articles contained in this miscellany. But we say to every parent, buy this book; it will create in young and old a love of reading, and will keep your children from going abroad in pursuit of amusements.

"Appletons' Library Manual, containing a catalogue raisonnee of upwards of 19,000 of the most important works in every department of knowledge, in all modern languages, &c."

This is a work, indispensable to every lover of books.

"A Grammatical Corrector, or vocabulary of the common errors of speech, &c.; by Seth T. Hurd."

We understand that this book sells well. It deserves all the patronage it will receive.

"The Child's First Book of Reading and Drawing; by Jerome B. Howard, late Teacher of Drawing in N. Y. State Normal School. Second edition Albany; Erastus H. Pease & Co. 1848."

Mr. Howard's book was commended by us upon the publication of the first edition; since then, we have had frequent opportunities of seeing the interest which children take in these lessons in phonics and drawing.

"Select Stories for Children," and "Scenes in Asia, for the amusement and instruction of Little tarry-at-home Travellers; by Rev. Isaac Taylor."

These are the titles of two interesting juvenile books, published by E. H. Pease & Co., of Albany.

"A Practical Grammar, in which words, phrases and sentences, are classified according to their offices, and their relation to each other, illustrated by a complete system of Diagrams; by S. W. Clark, A. M., Principal of East Bloomfield Academy. New-York; A. S. Barnes & Co. 1847."

An ingenious book; written by a gentleman who understands the subject of grammar, but in teaching a class, we would not select Mr. Clark's grammar as the text book.

"Report of the Committee on Colleges, Academies and Common Schools, of the Legislature of New-York, relative to Public Instruction. Dec. 10, 1847. Albany; C. Van Benthuysen, Public Printer."

A valuable report, which should be in the hands of all the friends of education. We extract the following paragraph in regard to Colleges.

"The salary of the professor should be adequate to command the first talent. The custom creeping into our colleges, of entitling to their professional chairs, men who are to qualify *in future* for their exalted stations; an imbecile nepotism; will blight their former fair reputation."

"Harper's Illustrated Catalogue of Valuable Standard Works, in the Several Departments of General Literature. 1847."

All who have a taste for Bibliography will procure and preserve this beautiful catalogue of the works published by the Harpers.

STANDARD WORKS,
PUBLISHED BY WILKINS, CARTER & CO., BOSTON.
WORCESTER'S
UNIVERSAL AND CRITICAL DICTIONARY
OF THE ENGLISH LANGUAGE.

By JOSEPH E. WORCESTER, LL. D.

1 vol. octavo, sheep. 1032 pages.

The publishers respectfully invite attention to the following eminent testimony to the excellence of this Standard Dictionary:—

The execution of this Dictionary fully answers to its title.

The Vocabulary is probably more comprehensive than that of all preceding English Dictionaries united.

Constant reference is made to authorities with respect to words newly introduced, and care is taken to note such as are technical, foreign, obsolete, provincial, or vulgar.

The Definitions are clear and exact, and those pertaining to technical and scientific terms are specially valuable to the general reader.

The author has evidently bestowed great labor on pronunciation. His system of Notation, which is easily understood, and founded on a more complete analysis of the vowel sounds than we have elsewhere met with, together with his plan of exhibiting all the best English authorities in relation to words differently pronounced by different orthoepists, gives to this work important advantages as a Pronouncing Dictionary.

In Orthography he has made no arbitrary changes, but where usage is various and fluctuating, he has aimed to be consistent, and to reduce to the same rules words of similar formation.

The insertion of Grammatical forms and inflections of words to a much greater extent than they are given in other English Dictionaries, and the short critical notes on the orthography, the pronunciation, the grammatical form and construction, and the peculiar, technical, local, and American uses of words interspersed through the volume, give to this work much additional value.

The copious Vocabulary of Modern Geographical Names, with their pronunciation, and a greatly enlarged and improved edition of Walker's Key to the pronunciation of Classical and Scripture Proper Names, are important appendages to the Dictionary.

A year has passed since this Dictionary was published; and its already extensive use, both among cultivated English readers and men of wide learning, affords good testimony of its merits. We confidently recommend it as containing an ample and careful view of the present state of our language.

JARED SPARKS, LL.D., McLean Professor of Ancient and Modern History, Harvard University.

SIDNEY WILLARD, A. M., late Professor of Hebrew, &c. Harvard University.

MOSES STUART, D. D., Professor of Sacred Literature, Theological Seminary, Andover, Mass.

EDWARDS A. PARK, D. D., Abbot Professor of Christian Theology, Theological Seminary Andover, Mass.

LEONARD WOODS, Jr., D. D., President of Bowdoin College, Me.

N. LORD, D. D., President of Dartmouth College, N. H.

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MARK HOPKINS, D. D., Pres't of Williams College, Mass.

EDWARD T. CHANNING, LL. D., Boylston Professor of Rhetoric and Oratory, Harvard University.

HENRY W. LONGFELLOW, A. M., Professor of Belles Lettres, Harvard University.

BENJ. HALE, D. D., President of Geneva College, N. Y.

ALONZO POTTER, D. D. LL. D., Bishop of Pennsylvania.

ROBLEY DUNGLISON, M. D., Professor in Jefferson Med. College, Philadelphia.

FRANCIS BOWEN, A. M., Editor of the North Am Review.

CHARLES FOLSOM, A. M., Librarian of Bost. Athenæum.

HECTOR HUMPHREY, D. D., Pres't St. John's Col., Md.

DAVID L. SWAIN, LL. D., Pres't University of N. Carolina.

JOHN McLEAN, LL. D., Justice U. S. Sup. Court, Ohio.

PHILIP LINDSLEY, D. D., President of the University of Nashville, Tenn.

N. LAWRENCE LINDSLEY, A. M., Professor of An. Lan. and Literature, Cumberland University, Tenn.

I concur fully in the leading portions of the above recommendation—not having had leisure to examine all the particulars referred to.

LEVI WOODBURY, LL. D., Justice U. S. Supreme Court, Mass.

From a general and frequent reference to this Dictionary, in constant use, I fully concur in the general merits of the work, and regard it as a very valuable aid to science.

THEO. FRELINGHUYSEN, LL. D., Chancellor of the University of New-York.

I have used "Worcester's Universal and Critical Dictionary of the English Language," in preference to any other, for constant reference.

JOHN WHEELER, D. D., President of University of Vermont.

FROM THE STREAM PRESS OF C. VAN BENTHUYSEN.

PICKERING'S
COMPREHENSIVE LEXICON
OF THE GREEK LANGUAGE.

Adapted to the use of Colleges and Schools in the United States.

BY JOHN PICKERING, LL. D.,

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